

From: Sharon Howell Sharon.Howell@tdcj.texas.gov
Subject: RE: spiritual advisor for patrick murphy
Date: March 5, 2019 at 9:35 AM
To: Dow, David R DDow@Central.UH.edu
Cc: Newberry, Jeff jrnewber@Central.UH.EDU, Marshall, Edward Edward.Marshall@oag.texas.gov

David –

The presence of the TDCJ chaplain is entirely an inmate's choice, so your request that the chaplain not touch Mr. Murphy is fine. The chaplain does not even need to be present in the chamber if Mr. Murphy would prefer that. We also do not have a problem with the body resting for seven minutes after his death. That timing is consistent with what happens with every execution performed in Texas. We will not agree to let the body rest undisturbed for seven days after death.

We do not permit a non-TDCJ employee be present in the execution chamber during the execution, which precludes Mr. Murphy's spiritual advisor from being present. Mr. Murphy should place his spiritual advisor on his witness list, and that way the spiritual advisor can observe through the window in the witness room. If Mr. Murphy would like to visit with his spiritual advisor prior to the execution, we can provide a time beginning at 3 pm and ending no later than 4 pm on the day of the execution, as we have done for other inmates.

Please let me know if you have any questions or if you have any arrangements that you would like to make.

Sharon Felfe Howell
General Counsel
Phone: 936.437.2141

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From: Dow, David R [mailto:DDow@Central.UH.edu]
Sent: Thursday, February 28, 2019 2:09 PM
To: Sharon Howell <Sharon.Howell@tdcj.texas.gov>
Cc: Newberry, Jeff <jrnewber@Central.UH.EDU>
Subject: spiritual advisor for patrick murphy

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sharon --

you may be aware that i represent patrick murphy, who is scheduled to be executed on march 28. i am writing about the issue of a spiritual advisor.

murphy is a buddhist. his spiritual advisor is reverend hui-yong shih. murphy would like hui-yong to be present with him in the execution chamber because murphy's faith teaches that, in order to enter into what he understands to be the "pure land," he must focus on the buddha at the time of death, and reverend shih's presence in the chamber would make that possible.

murphy's religion also dictates that the body of a deceased person not be disturbed for seven days after the person has died. we realize asking this of TDCJ is a long shot (but i am nevertheless asking anyway), but, as a fallback position, reverend shih has advised murphy it would suffice to honor this tradition for his body not to be disturbed for seven minutes after he is killed. murphy's believes that the chaplain who is ordinarily present in the execution chamber during executions holds the toe of the person who is being killed until he dies. however, because being touched at the time he dies would violate his belief that his body should not be disturbed, murphy also requests that the chaplain, if present, not touch him.

i am happy to arrange a time to chat about these requests. i think they are reasonable and hope we can address them administratively rather than through litigation.

my usual thanks for your attention,

-- drd

David R. Dow

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